IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28569 of 2016

Arising Out of PS.Case No. -2659 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-KATIHAR

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1. Chandan Kumar Jha Son of Suganand Jha
2. Pintu Kumar Son of Late Kapildev Prasad
3. Most. Chandrakala Devi Wife of Late Kapildev Prasad

All are resident of village - Krishna Nagar, near T.V. Tower, Police Station Katihar (Sahayak), District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Jha Son of Uma Kant Jha Village - Jhagruchowk, Police Station Phalka, District - Katihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bindhyachal Singh, Adv.
For the State : Mr. Binod Kr.-2, APP
For the Complainant : Mr. Binod Kumar Singh2(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 25-07-2016 Heard learned counsel for the petitioners and counsel for the State.

Learned counsel for the petitioners submits that the petitioner no.2, namely, Pintu Kumar has been arrested.

That being so, this application has become infructuous as against the petitioner no.2.

In this case, the petitioners are apprehending their arrest in connection with Complaint Case No. 2659 of 2014 for offence under Sections 420, 406, 467, 468, 471 and 120(B) of the Indian Penal Code.

As per allegation, it has been submitted that the complainant has altogether paid Rs. 8,55,500/- to the accused

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persons. When the complainant went at the land for taking possession of the same, it was informed to him that the ancestor of the petitioner has sold the land to other persons but, there is no averment in the complaint petition whether any person resisted him from taking possession of the land nor details has been given to him. The ancestor of the petitioners had sold the land. It is basically a civil dispute.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 1 and 3, namely, Chandan Kumar Jha and Most. Chandrakala Devi, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Complaint Case No. 2659 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

(Shivaji Pandey, J)

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